

Senate Bill 104

By: Senators Payne of the 54th, Stone of the 23rd, Karinshak of the 48th, Albers of the 56th, Miller of the 49th and others

AS PASSED SENATE**A BILL TO BE ENTITLED****AN ACT**

1 To amend Chapter 39 of Title 31 of the Official Code of Georgia Annotated, relating to
2 cardiopulmonary resuscitation, so as to revise parental requirement for consent; to revise a
3 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

5 **SECTION 1.**

6 Chapter 39 of Title 31 of the Official Code of Georgia Annotated, relating to
7 cardiopulmonary resuscitation, is amended in Code Section 31-39-2, relating to definitions,
8 by revising paragraph (10) to read as follows:

9 "~~(10) 'Parent' means a parent who has custody of a minor or is the parent of biological~~
10 ~~parent, legal guardian, custodian, or other person with legal authority to act on behalf of~~
11 ~~either a minor or an adult without decision-making capacity."~~

12 **SECTION 2.**

13 Said chapter is further amended in Code Section 31-39-4, relating to persons authorized to
14 issue order not to resuscitate, by revising subsection (d) as follows:

15 "~~(d) Any parent may consent orally or in writing to an order not to resuscitate for his or her~~
16 ~~minor child when such child is a candidate for nonresuscitation. When a minor child is a~~
17 ~~candidate for nonresuscitation, an order not to resuscitate may be issued only with the oral~~
18 ~~or written consent of the minor's parent, unless an exception applies pursuant to~~
19 ~~subsection (e) of this Code section. If in the opinion of the attending physician the minor~~
20 ~~is of sufficient maturity to understand the nature and effect of an order not to resuscitate,~~
21 ~~then no such order shall be valid without the assent of such minor."~~

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.